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UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

UNITED STATES OF AMERICA

| | | V. | | ORD | ER OF DETENTION P | ENDING TRIAL |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| | Ma | artin Rodriguez-Ruelas | Case N | umber: | 08-6258M | |
| present | and wa | with the Bail Reform Act, 18 U.S.0 as represented by counsel. I concl e defendant pending trial in this ca | ude by a preponderance | | | |
| | | | FINDINGS OF FA | СТ | | |
| I find by | a prep | onderance of the evidence that: | | | | |
| | The defendant is not a citizen of the United States or lawfully admitted for permanent residence. | | | | | |
| | \boxtimes | The defendant, at the time of the charged offense, was in the United States illegally. | | | | |
| If released herein, the defendant faces removal proceedings by the Bureau Enforcement, placing him/her beyond the jurisdiction of this Court and the defendar or otherwise removed. | | | | | | mmigration and Customs s previously been deported |
| | | The defendant has no significant contacts in the United States or in the District of Arizona. | | | | |
| | | The defendant has no resources to assure his/her future appeara | in the United States from | m which | he/she might make a b | ond reasonably calculated |
| | \boxtimes | The defendant has a prior crimin | nal history. | | | |
| | | The defendant lives/works in Me | exico. | | | |
| | | The defendant is an amnesty a substantial family ties to Mexico | | ostantial | ties in Arizona or in t | he United States and has |
| | | There is a record of prior failure | to appear in court as ord | dered. | | |
| | | The defendant attempted to eva | de law enforcement con | tact by f | leeing from law enforce | ement. |
| | | The defendant is facing a maxin | num of | | ears imprisonment. | |
| at the ti | The Come of the | ourt incorporates by reference the ne hearing in this matter, except a | material findings of the P is noted in the record. CONCLUSIONS OF | | ervices Agency which w | were reviewed by the Cour |
| | 1. 2. | There is a serious risk that the d No condition or combination of c | efendant will flee. | y assure | the appearance of the | defendant as required. |
| appeal. of the U | tions fa The de nited S | efendant is committed to the custo acility separate, to the extent practi- efendant shall be afforded a reason tates or on request of an attorney be United States Marshal for the p | dy of the Attorney Gener cable, from persons awa nable opportunity for priv for the Government, the | al or his iting or s ate cons person in e in con | /her designated repres erving sentences or bei sultation with defense on the correction nection with a court pro- | ing held in custody pending ounsel. On order of a cour ons facility shall deliver the |
| deliver a | IT IS O | RDERED that should an appeal of the motion for review/reconsider | of this detention order be | filed witl | h the District Court, it is | s counsel's responsibility to aring set before the Distric |
| Service | s suffici | URTHER ORDERED that if a releation in advance of the hearing be potential third party custodian. | ase to a third party is to before the District Court | e consid to allow | dered, it is counsel's res Pretrial Services an o | sponsibility to notify Pretria pportunity to interview and |
| | DATE | ED this 3 rd day of Septemb | oer, 2008. | | | |
| | | | - Jan | | | |

David K. Duncan United States Magistrate Judge